City of Tempe

MINUTES FOR THE STAFF ADVISORY COMMITTEE
(SAC) MEETING

1:30-3:30 pm, April 25, 2002
Development Services Conference Room

ATTENDANCE:

Rob Conway, Transportation	Eric Iwersen, Transportation
Bill Kersbergen, Design Review	Steve Venker, Development Services
Gary Davis, Transportation	Chris Messer, CD+D
Jim Bond, Engineering	Jan Koehn, Code Compliance
John DiTullio, Gallagher & Kennedy	Arlene Palisoc, Planning
Mandi Roberts, Otak	Scot Siegel, Otak
Roger Millar, Otak	Fred Brittingham, Planning
Bonnie Richardson, CD+D	Ryan Levesque, CD+D
Grace Kelly, Planning	

- **INTRODUCTION**

- Overview of Module 3.

- The purpose of Module 3 is to convey a "clear path" to developers so they can follow them with certainty and some flexibility.

- Trying to make the process more effective at solving issues earlier.

- Trying to make standards as clear as possible.

- Trying to avoid surprises later in the process.

- Emphasize information earlier in the process.

- Are we adding the right layers? Are new procedures going to help you or prevent you from doing your job? Do we have enough flexibility in the proposed code?

- It is an over haul rather than minor tuning? Do you think it is headed in the right direction?

- Discussion of new way to determine reviewing body and process:

	Types of Decisions	Decision Makers	Hearing
4.	Legislative	Council w/ PZ Recommendation	Yes
3.	Quasi –Judicial	BOA, PZ, HO, CC, DRB	Yes
2.	Administrative w/ notice	DS, HO, DRB	only on appeal
1.	Administrative	DS	only on appeal

- Question expressed about the terminology "Land Use Permit". Section 4-104 – here a permit means "land use permit" or building permit. It is unclear.

- TABLE Section 4-201
- Fred suggested putting the table first before going into Type 1,2,3,4 procedures.
- Ryan said that BOA now decides use permits, but this table says PZ & CC decides use permits.
- Fred discussed Grady Gammage's argument that the Council cannot decide use permits but our attorney says Council can decide use permits.
- Fred said that today, downtown use permit can go to Council Industrial and Residential use permit go to BOA. Some use permits with P.A.D. or P.O.D.s go to PZ and CC.
- Roger suggested stand along Use permits go to BOA or PZ for decision. Use permits as part of PAD going to CC. Fred says we have this today. Roger says its important to have a clear path, a direct route rather than one that is arbitrary.
- One clear path gives a level of certainty to the process.
- Bonnie says we need to simplify. A use permit regardless of size goes to one board – should not need
- Council approval.
- Scot – you can keep local control by going to P&Z with Council for approval/appeal.
- If BOA, Decides, you can only appeal to Court of Appeals.
- Debate over whether or not to change procedures for where use permits/variances go.
- Bill questioned whether or not to have development agreement in table.
- Fred said city does not enforce development agreements.
- Bonnie questioned "code interpretation" – does this mean building code or land use & development code?
- Section 4.203 Appeal date should be 14 days for PZ and BOA instead of 12 days.
- NEIGHBORHOOD MEETING NOTIFICATION
- Scot asked if HOAs are recognized by Council. Fred said they are notified.
- Grace asked if we should notify neighborhood associations further than 300'?
- Fred did not think we should require it.
- Bonnie discussed the affidavit requiring notices were mailed.
- Developer has to prove they met the requirement
- Neighborhood meeting will not be need for subdivisions. Is there discretion by Development Services
- Director to waive a neighborhood meeting requirement? No.
- Section 4-404 C. Omit some of those things. Too much to send for public notice.
- Section 4-501 B16 Should we include section on "how to hold a public hearing"?

- Concern over Section 4-506. Omit.
- Fred want to discuss the section about : "keeping record open when public hearing is over with the city attorney before keeping it in the code.
- Conclusion : there will be a workshop to review the code in more detail in June.